

### REMARKS

Claims 6, 9, 21-31, 46-49, and 50-54 were before the Examiner. The Examiner withdrew Claims 50-54 as being independent from the originally-claimed subject matter. In this paper, Claims 6, 9, 21-31, 46-49, and 50-54 have been canceled. Claims 55-69 have been added. Accordingly, Claims 55-69 are now before the Examiner. No new matter has been added in these amendments.

#### Summary of the Office Action

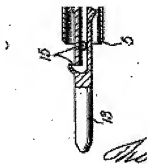
The Examiner rejected Claim 49 as being indefinite. The Examiner rejected Claims 6, 21-30, and 47 as being anticipated by Pilgrim, U.S. Patent No. 1,902,418. The Examiner rejected Claims 6, 9, 21-31, and 46-49 as being anticipated by, or, in the alternative obvious in view of Sandmore, U.S. Patent No. 6,059,760.

These rejections are now moot as the rejected claims have been canceled. For the reasons discussed below, new Claims 55-69 are patentably distinct from the cited references.

#### Pilgrim Fails to Disclose the Claimed Catheter

Claim 55 is distinguishable from Pilgrim. For example, Claim 55 recites a catheter, said catheter comprising, inter alia, a redirecting surface "having a curved profile extending between a proximal point at the central longitudinal axis and a distal point, positioned substantially axially away from the proximal point."

Pilgrim does not disclose, for example, an internal flow redirecting surface having a curved profile as recited in Claim 55. Rather, as illustrated in the Pilgrim system of Figure 3 (represented below), any fluid redirecting is performed by a bend at the end of the lumen whose distal-most extent is generally at a central axis of the lumen.



**Pilgrim**, excerpt from Figure 3

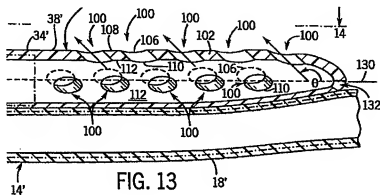
Accordingly, Claim 55 is patentably distinct from Pilgrim for at least the reasons noted above. Claims 56-69 depend from Claim 55 and recite further novel and nonobvious limitations thereon. Therefore, Claims 56-69 are patentably distinct from Pilgrim for at least the reasons discussed above with respect to Claim 55.

#### **Sandmore Fails to Disclose or Suggest the Claimed Catheter**

Claim 55 is patentably distinct from Sandmore. For example, Claim 55 recites a catheter comprising, inter alia, an internal flow redirecting surface "extending from adjacent to a central longitudinal axis of the lumen to a distal portion of the outlet, the redirecting surface having a curved profile extending between a proximal point at the central longitudinal axis and a distal point, positioned substantially axially away from the proximal point, the distal point defined by an apex located between the longitudinal axis and the outlet."

The reverse flow tip disclosed by Sandmore fails to disclose or suggest a catheter as recited in Claim 55. For example, Sandmore fails to disclose a catheter or a redirecting tip having a redirecting surface with the recited curved profile. Rather, Sandmore merely discloses a "closed distal end." Sandmore, Col. 8, lines 33-36. Figure 13 of Sandmore, represented below illustrates this closed distal end. Furthermore, Sandmore teaches away from a *surface* that is configured to "redirect substantially all of the blood flow exiting said lumen in a direction generally opposite of the direction of flow in the lumen," as is recited in Claim 55. Instead, Sandmore discloses that it is not the blunt distal end, but rather, the configuration of the fluid

outlets, positioned at an obtuse angle with respect to the cannula tip, that reverse the direction of flow exiting the cannula. See, Sandmore, Col. 8, lines 3-25. Accordingly, in view of the disclosure of Sandmore of a particular fluid outlet geometry for flow reversal, it would not be obvious to significantly modify the blunt distal end of Sandmore to achieve the claimed inventions, as suggested by the Examiner.



**Sandmore, excerpt from Figure 13**

Accordingly, Claim 55 is patentably distinct from Sandmore for at least the reasons noted above. Claims 56-69 depend from Claim 55 and recite further novel and nonobvious limitations thereon. Therefore, Claims 56-69 are patentably distinct from Sandmore for at least the reasons discussed above with respect to Claim 55.

Thus, for at least the reasons discussed above, the cited prior art fails to disclose or suggest the claimed inventions. The prior art therefore fails to anticipate or render obvious the present application. Applicant therefore respectfully requests a notice of allowance.

*No Disclaimers or Disavowals*

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this

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application. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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